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EXPRESS MAIL NO. EM555262424US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald D. MONTGOMERY

Application No. 09/003,075

Filed: January 5, 1998

For: **ELECTROCHEMICAL SOLID
PHASE SYNTHESIS**

Art Unit: 1763

Examiner: Unassigned

Attorney's Docket No: 01665.0004.999

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

BOX: MISSING PART

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **Notice to File Missing Parts of Application--Filing Date
Granted** dated April 3, 1998, Applicant(s) submits the following documents for appropriate
action by the U.S. Patent and Trademark Office:

- ☒ Copy of the Notice to File Missing Parts (PTO-1533);
- ☒ Original Declaration, executed by the inventor(s);
- ☒ Small Entity Status form;
- ☒ Return postcard; and
- ☒ Our check in the amount of \$65.00 to cover Surcharge for late filing of
Declaration (37 C.F.R. §1.16)

The U.S. Patent and Trademark Office is hereby authorized to charge any fee
deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of
time under 37 C.F.R. §1.136 other than those otherwise provided for herewith are required to
prevent abandonment of the present patent application, then such extensions of time are
hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit
Account No.08-3038. A duplicate copy of this Response is enclosed.

05/08/1998 GWASHING 00000004 083038 09003075

01 FC:205

65.00 CH

Respectfully submitted,

Date: May 5, 1998

HOWREY & SIMON

Void date: 05/08/1998 GWASHING 00000004 083038 09003075
05/08/1998 GWASHING 00000004 083038 09003075
01 FC:205 65.00 CH Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(650) 463-8100

for J. David Smith Reg. No. 39,839
Albert P. Halluin (Reg. No. 25,227)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/003,075 01/05/98 MONTGOMERY

D 01665.0004.9

0292/0403

NOT ASSIGNED

HOWREY & SIMON
BOX NO 34
1299 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004-2402

1763
DATE MAILED:

04/03/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$_____, including any multiple dependent claim fees, are required.

\$_____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.

05/08/1998 005500005 05003078 compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- 01 FC 805. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to “Attention: Box Missing Parts.”

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE